~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 22, 2010

**S. 1367**

Introduced by Senator Cromer

S. Printed 4/22/10--S.

Read the first time April 15, 2010.

**THE COMMITTEE ON FISH, GAME AND FORESTRY**

To whom was referred a Bill (S. 1367) to amend Section 50‑23‑295, as amended, Code of Laws of South Carolina, 1976, relating to transfer of title to watercraft or outboard motor on which, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 1, by striking lines 28-36 and inserting:

/ “(B) In addition to any applicable criminal penalties, ~~falsely signing such a certification subjects the person signing the certification to a fee of five hundred dollars and suspension of any title issued in the applicant’s name by the department. The title can be reinstated upon proof to the department of payment of all taxes due and payment of the five‑hundred‑dollar fee to the department~~ a seller who falsely signs the certification required by subsection (A) that property taxes are current and paid on a watercraft transferred to the buyer is liable to the buyer for three times the amount of damages directly associated with the false certification, as well as applicable costs and reasonable attorney’s fees.” /

Renumber sections to conform.

Amend title to conform.

GEORGE E. CAMPSEN III for Committee.

**A** **BILL**

TO AMEND SECTION 50‑23‑295, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRANSFER OF TITLE TO WATERCRAFT OR OUTBOARD MOTOR ON WHICH PROPERTY TAXES ARE OWED, SO AS TO REMOVE THE PENALTY IMPOSED FOR SELLING A WATERCRAFT WITH PERSONAL PROPERTY TAXES OWED AND TO ADD PROVISIONS REGARDING CIVIL ACTIONS AGAINST SELLERS FOR SELLING A WATERCRAFT OR OUTBOARD MOTOR WITH TAXES OWED.

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

SECTION 1. Section 50‑23‑295(B) of the 1976 Code, as added by Act 91 of 2007, is amended to read:

“(B) In addition to any applicable criminal penalties, falsely signing such a certification ~~subjects the person signing the certification to a fee of five hundred dollars and suspension of any title issued in the applicant’s name by the department. The title can be reinstated upon proof to the department of payment of all taxes due and payment of the five‑hundred‑dollar fee to the department~~ must be considered as evidence that the seller has caused harm to the buyer and the buyer may pursue a civil action against the seller in magistrates court.”

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

‑‑‑‑XX‑‑‑‑