**South Carolina General Assembly**

119th Session, 2011-2012

**S. 675**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Lourie, Campbell, Williams, Bryant, Land, Cromer, Elliott, Alexander, Ryberg, McGill, Nicholson, Massey, Reese and Rose

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Introduced in the Senate on March 9, 2011

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

Summary: Evictions procedures

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/9/2011 Senate Introduced and read first time ([Senate Journal‑page 6](file:///h:\sj%20archive\2011\03-09-11.docx))

3/9/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 6](file:///h:\sj%20archive\2011\03-09-11.docx))

1/9/2012 Senate Referred to Subcommittee: Malloy (ch), Ford, Massey, S.Martin

**VERSIONS OF THIS BILL**

[3/9/2011](file:///p:\pprever\2011-12\675_20110309.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27‑40‑715 SO AS TO PROVIDE PROCEDURES FOR CONDUCTING EXPEDITED HEARINGS ON ACTIONS FOR EVICTION IN RESIDENTIAL LANDLORD AND TENANT AGREEMENTS.

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

SECTION 1. Subarticle II, Article 7, Chapter 40, Title 27 is amended by adding:

“Section 27‑40‑715. (A) When an action for eviction under this subarticle is filed with a magistrate of competent jurisdiction, the magistrate shall within twenty‑four hours after the filing schedule an expedited hearing which must be a final hearing on the merits of the action. The magistrate immediately shall provide written notice of the time, date, and location of this hearing:

(1) by mail, electronic mail, or facsimile to the party bringing the action; and

(2) by printed hard copy to the sheriff’s department of the county in which the action is brought, and an officer of this sheriff’s department shall serve notice of this hearing on the tenant by posting the notice on a conspicuous place in the rental premises within forty‑eight hours after receiving the printed hard copy of the notice from the magistrate. Notwithstanding another provision of law, notice served is this manner is considered sufficient to give the magistrate appropriate jurisdiction over the action.

(B) The magistrate shall conduct this expedited hearing within seven calendar days after the date on which the action was filed, and shall issue oral and written rulings on the merits of the case from the bench. If the tenant fails to appear at the hearing, the magistrate shall enter default judgment in favor of the landlord. The magistrate shall provide a copy of its written order to a party who is present at the hearing. If the tenant is not present at the hearing, the magistrate immediately shall provide a copy of its order to the sheriff’s department in the county in which the action was filed, and an officer of this sheriff’s department shall deliver a copy of this order to the tenant by posting the order in a conspicuous place in the rental premises within forty‑eight hours after receiving this printed hard copy of the order from the magistrate.”

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

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