**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑5‑190 SO AS TO PROVIDE THAT IT IS AN UNFAIR TRADE PRACTICE FOR A CONTRACTING PARTY TO REQUIRE THE APPLICATION OF THE LAWS OF ANOTHER STATE IN DISPUTES ARISING FROM THE PERFORMANCE OF THE CONTRACT.

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

SECTION 1. Article 1, Chapter 5, Title 39 of the 1976 Code is amended by adding:

“Section 39‑5‑190. (A) Notwithstanding any other provision of law, it is an unfair trade practice for one party to a contract to require the application of the laws of another state for a dispute that arises related to the performance of the contract so long as this State is the place of performance of the contract.

(B) Nothing in this section may be construed to prohibit the use of a provision agreeing to apply the laws of another state for other disputes that may arise related to the contract.”

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

‑‑‑‑XX‑‑‑‑