**South Carolina General Assembly**

125th Session, 2023-2024

**H. 3903**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Kirby, Gatch and Henderson-Myers

Companion/Similar bill(s): 436

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Introduced in the House on February 8, 2023

Currently residing in the House

Summary: Heirs' Property Commission

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/8/2023 House Introduced and read first time (House Journal‑page 7)

 2/8/2023 House Referred to Committee on **Judiciary** (House Journal‑page 7)

 2/28/2023 House Member(s) request name added as sponsor:
 Henderson-Myers

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**VERSIONS OF THIS BILL**

[02/08/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/3903_20230208.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 31‑1‑900 SO AS TO ESTABLISH THE HEIRS’ PROPERTY COMMISSION TO ADDRESS THE LEGAL AND ECONOMIC ISSUES ASSOCIATED WITH HEIRS’ PROPERTY, TO PROVIDE FOR MEMBERSHIP OF THE COMMISSION, TO PROVIDE FOR REPORTING REQUIREMENTS OF THE COMMISSION, AND TO PROVIDE FOR THE EXECUTIVE DIRECTOR OF THE SOUTH CAROLINA STATE HOUSING FINANCE AND DEVELOPMENT AUTHORITY TO CHAIR THE COMMISSION, AND FOR THE AGENCY TO PROVIDE ADMINISTRATIVE SUPPORT TO THE COMMISSION.

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

SECTION 1. Article 9, Chapter 1, Title 31 of the S.C. Code is amended by adding:

 Section 31‑1‑900. (A) There is established the “Heirs’ Property Commission”, which is created to address the legal and economic issues associated with heirs’ property. The commission must be comprised of:

 (1) the Executive Director of the South Carolina State Housing Finance and Development Authority or his designee, who shall serve as chairman;

 (2) a representative of the Center for Heirs’ Property Preservation, appointed by the Governor;

 (3) the Secretary of Transportation or his designee;

 (4) a Master‑in‑Equity, appointed by the Governor;

 (5) a member representing county government, appointed by the Governor;

 (6) a member representing municipal government, appointed by the Governor;

 (7) a member representing the Coastal Conservation League, appointed by the Governor;

 (8) a member representing Habitat for Humanity, appointed by the Governor;

 (9) a member representing the Lowcountry Gullah Foundation, appointed by the Governor;

 (10) a member appointed by the President of the Senate; and

 (11) a member appointed by the Speaker of the House.

 (B) The commission shall review issues related to heirs’ property in South Carolina and its impact on the families and the economic development opportunities for South Carolina.

 (C)(1) The commission shall report to the Governor and the General Assembly by January 31 each year, setting forth its activities, the state of heirs’ property in the State, any data collected over the course of the year, and any recommendations for policy or legislative changes to help families with heirs’ property clear title, to improve economic development opportunities for South Carolina, and to prevent new occurrences of heirs’ property.

 (2) Data collected by the commission shall include:

 (a) information regarding the number and total acreage of lots that are designated as heirs’ property in each county;

 (b) information regarding the number and total acreage of heirs’ property land sold at tax sales and whether the purchaser is an heir;

 (c) information regarding the economic impact of heirs’ property, including loss of economic development due to issues with land designated as heirs’ property;

 (d) information regarding non‑profit groups that provide services to owners of heirs’ property throughout South Carolina; and

 (e) information regarding resources available to assist families to clear title of the heirs’ property and to prevent further occurrences of heirs’ property.

 (3) The commission shall collect information from state agencies and local governments for its report. State agencies and local governments shall provide the commission with information that the commission requests and requires in the performance of its duties.

 (D) The South Carolina State Housing Finance and Development Authority shall provide administrative support to the commission as the commission requests and requires in the performance of its duties.

 (E) A member of the commission may not receive compensation but may receive the usual subsistence, mileage, and per diem as provided by law for state boards, commissions, and committees.

SECTION 2. The commission shall review the Heirs’ Property Study Committee Report to the General Assembly and identify suggestions and steps for implementation for policy changes, and report recommendations for legislative changes to the General Assembly.

SECTION 3. This act takes effect upon approval by the Governor.

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