**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4101**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. White, Williams and Kirby

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Introduced in the House on February 26, 2025

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Automobile insurance

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/26/2025 House Introduced and read first time (House Journal‑page 14)

 2/26/2025 House Referred to Committee on **Labor, Commerce and Industry** (House Journal‑page 14)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4101&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/26/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4101_20250226.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38‑77‑410 SO AS TO REQUIRE AN INSURANCE POLICY COVERING A PERSON OPERATING A RENTED OR LEASED VEHICLE IS PRIMARY TO OTHER SOURCES OF FINANCIAL RESPONSIBILITY AND MUST BE EXHAUSTED BEFORE RECOVERING UNDER ANOTHER POLICY.

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

SECTION 1. Article 3, Chapter 77, Title 38 of the S.C. Code is amended by adding:

 Section 38‑77‑410. (A) An insurance policy that covers a person operating a rented or leased vehicle, regardless of the limitations or exclusions in the operator’s policy, is primary to:

 (1) a motor vehicle insurance policy in which the named insured is a rental company or affiliate of the rental company;

 (2) a qualified self‑insurer, as defined in Section 56‑9‑60, a rental company, or an affiliate of the rental company; and

 (3) a bond posted by a rental company or an affiliate of the rental company for the purpose of complying with financial responsibility.

 (B) The limits of the primary policy must be exhausted before there may be a recovery under a policy issued to or against other financial responsibility maintained by a rental company.

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

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