



2019-2020 End of Session Report

CAI's South Carolina Legislative Action Committee (SC LAC) had a very active legislative session related to the community association industry. The 18-member committee volunteered hundreds of collective hours to review bills, draft testimony, meet with legislators and other decision-makers, and testify for or against bills. There were more than 3,700 bills introduced, and the SC LAC closely monitored about 10 bills that would have directly affected community associations. Below is a brief overview:

H 5243, Flags; Provide Homeowner Has Right to Fly SC State Flag. SC LAC monitored this bill which related to the right of a homeowner or tenant to fly the flag of South Carolina.

Status: FAILED

H 4959, Flags, Rights of Property Owners to Fly Notwithstanding HOA Documents. SC LAC monitored this bill relating to the rights of homeowners or tenants to fly the United States flag on their premises regardless of the provisions of any homeowners association governing documents.

Status: FAILED

H 3203, For Sale Signs. SC LAC opposed this bill that authorized a homeowner or tenant to display any for sale signs on the premises of their property regardless of any provision in a deed, contract, lease, rental agreement, or homeowner's association document. This bill also prohibited a deed, contract, lease, rental agreement, or homeowner's association document from precluding a tenant or homeowner from displaying a for sale sign.

Status: FAILED

H 4741/S 1116, Foreclosure. SC LAC opposed this bill that related to a property exempt from attachment, levy, and sale so as to provide that a debtor's interest in real property used as a primary residence may not be sold if the action was instituted by a homeowners association attempting to collect unpaid dues, fees, or finds. This bill also related to the enforceability of a homeowners association governing documents prohibiting the enforceability of a provision granting an association the authority to foreclosure on a property.

Status: FAILED

H 5011/S 1032, HOA Deed Restrictions. SC LAC opposed this bill which rendered a deed restriction, covenant, or a homeowners association document intended to prohibit the installation of a solar energy system void and unenforceable.

Status: FAILED

H 4429, HOAs; Establishing Certain Requirements for HOAs Regarding Annual Budget, Operating Expenses, Funds Allocation, and Other Provisions. SC LAC monitored this bill which would have established certain requirements for a homeowners association regarding the annual operating budget, the

association's operating expenses, the allocation of funds collected as fines by the association's board and the submission of the annual operating budget to the Department of Consumer Affairs.

Status: FAILED

H 3376, Homeowners Association Regime Fee Fairness to Deployed Service Members. SC LAC monitored this bill which would have enacted the "Homeowners Association Regime Fee Fairness to Deployed Service Members Act" requiring a service member who belongs to a homeowners association to notify the homeowners association of orders of deployment and then prohibiting the homeowners association from enforcing a lien or imposing a penalty for regime fees not paid during the time period that the homeowner is deployed or mobilized outside of this state. This bill would have also applied these protections to dependents residing with the service member and to provide that the protections to deployed homeowners may not be waived by contract.

Status: FAILED

H 3375, Political Signs on Property. SC LAC monitored this bill that authorized a homeowner or tenant from displaying a political sign within a certain time frame and to allow a homeowner's association to establish a certain rule for political signs.

Status: FAILED

South Carolina Contact Information

- Community Associations Institute South Carolina Legislative Action Committee:
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Your Assistance is Needed

Expenses incurred by the LAC are paid for with donations and by Advocacy Fund fees. Corporate contributions are allowed and appreciated. Most community association boards can legally allocate money to support the SC LAC. Please visit www.caionline.org/lacdonate/ and donate to "South Carolina" to support our continued efforts.

For more information visit www.caionline.org/SCLAC.