

## South Carolina enacts Servicemembers Civil Relief Act

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On April 26, the [South Carolina Servicemembers Civil Relief Act](#) (the “Act”) was signed into law and went into immediate effect. The Act seeks to “expand and supplement” the federal Servicemembers Civil Relief Act (“SCRA”), and provides that an SCRA violation constitutes a violation under the Act. The Act expands servicemember protections in a few important ways:

1. the Act’s definition of “military service” covers members of the South Carolina National Guard who are on active duty (as defined by the statute) for a period of more than 30 days;
2. the Act’s protections extend to dependents of servicemembers engaged in military service; and
3. a servicemember may terminate certain types of contracts after receiving “military orders to relocate for a period of service of at least ninety days to a location that does not support the contract” without being subject to an early termination fee.

The Act includes a private cause of action and, in the event of an intentional violation, the Act provides for a civil penalty not to exceed \$5,000 per violation that is to be retained by the state. The Act applies to contracts entered into on or after April 26, 2019.

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