



Claims Handling for South Carolina
Property & Casualty Insurance

South Carolina has adopted a version of the Unfair Claims Settlement Practices Act. It is SC ST § 38-59-20. However, with a few exceptions, South Carolina has not adopted specific time frames for compliance with provisions of that act. In addition, South Carolina has not adopted regulations to complement the Unfair Claims Settlement Practices Act.

SC ST § 38-59-20 requires the insurer to provide the first party claimant with blank proof of loss forms within 20 days after receipt of a notice of claim.

SC ST § 38-59-20 provides that the failure of an insurer that is without reasonable cause or in bad faith to pay a claim within 90 days after demand by the insured may subject the insurer to an award of attorney fees not to exceed one-third of the amount of the judgment. However, this provision does not modify the insurer's right under the contract to control the conduct of or compromise of any litigation filed against its insured.