**South Carolina General Assembly**

118th Session, 2009-2010

**S. 1008**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Rose and Campsen

Document Path: l:\s-res\mtr\023magi.mrh.mtr.docx

Introduced in the Senate on January 12, 2010

Currently residing in the Senate Committee on **Judiciary**

Summary: Magistrates

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2009 Senate Prefiled

12/9/2009 Senate Referred to Committee on **Judiciary**

1/12/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-12-10.docx)‑54

1/12/2010 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2010\01-12-10.docx)‑54

1/12/2010 Senate Referred to Subcommittee: Malloy (ch), Ford, Massey, S.Martin, Mulvaney

**VERSIONS OF THIS BILL**

[12/9/2009](file:///p:\pprever\2009-10\1008_20091209.docx)

**A** **BILL**

TO AMEND SECTION 22‑1‑15 OF THE 1976 CODE, RELATING TO THE EFFECT OF INCREASED EDUCATIONAL REQUIREMENTS FOR MAGISTRATES CURRENTLY SERVING, TO PROVIDE THAT THE INCREASED EDUCATION REQUIREMENTS OF AN ASSOCIATE’S AND A BACHELOR’S DEGREE NOT ONLY DO NOT APPLY TO A MAGISTRATE SERVING ON THE EFFECTIVE DATE OF THOSE INCREASED REQUIREMENTS DURING HIS TENURE IN OFFICE, BUT ALSO TO ANY SUBSEQUENT TERM OF OFFICE FOLLOWING A BREAK IN SERVICE.

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

SECTION 1. Section 22‑1‑15 of the 1976 Code is amended to read:

“Section 22‑1‑15. (A) The provisions of Section 22‑1‑10(B) do not apply to a magistrate serving on January 1, 1989, during his tenure in office. A magistrate holding office after January 1, 1989, must achieve a high school education or the equivalent educational training as recognized by the State Department of Education within two years of January 1, 1989, and must submit a certified copy of his high school diploma or certified proof of its recognized equivalent in educational training as established by the State Department of Education to the South Carolina Court Administration. However, this requirement does not apply to a magistrate with at least five years’ service as a magistrate on January 1, 1989. The South Carolina Court Administration must report to the Governor’s Office a magistrate’s failure to submit the proper documentation, and a magistrate’s violation of this subsection terminates his term of office.

(B) The provisions of Section 22‑1‑10(B)(2)(a) and (b) do not apply to a magistrate serving on June 30, 2001, during his tenure in office and any subsequent term of office following a break in service.

(C) The provisions of Section 22‑1‑10(B)(2)(b) do not apply to a magistrate serving on June 30, 2005, during his tenure in office and any subsequent term of office following a break in service.”

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

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