**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3877**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Scott, E.H. Pitts, Huggins, Toole, Crawford, Daning, Hardwick, Hearn and Lowe

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Introduced in the House on April 2, 2009

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

Summary: Terms of office

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/2/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\04-02-09.docx)‑33

4/2/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\04-02-09.docx)‑33

**VERSIONS OF THIS BILL**

[4/2/2009](file:///p:\pprever\2009-10\3877_20090402.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2‑1‑70 SO AS TO PROVIDE THAT THE TERM OF OFFICE FOR THE SENATE IS SIX YEARS; BY ADDING SECTION 2‑1‑190 SO AS TO PROVIDE THAT A PERSON IS NOT ELIGIBLE FOR ELECTION TO THE HOUSE OF REPRESENTATIVES IF THAT PERSON HAS SERVED FOUR TERMS IN THE SAME BODY, TO PROVIDE THAT A PERSON IS NOT ELIGIBLE FOR ELECTION TO THE SENATE IF THAT PERSON HAS SERVED THREE TERMS IN THE SAME BODY, AND TO PROVIDE THAT A TERM SERVED FOR WHICH THE ELECTION WAS HELD BEFORE JANUARY 1, 2009, MAY NOT BE COUNTED AS A TERM SERVED; TO AMEND SECTION 2‑1‑20, RELATING TO THE ELECTION DATE FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES, SO AS TO PROVIDE THE ELECTION DATE IS THE TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EVERY OTHER EVEN‑NUMBERED YEAR; AND TO AMEND SECTION 2‑1‑40, RELATING TO THE TERM OF OFFICE FOR THE HOUSE OF REPRESENTATIVES, SO AS TO PROVIDE THE TERM IS FOUR YEARS.

Whereas, the General Assembly finds that for members of the House of Representatives the two‑year term of office does not allow a representative enough time in office to become a truly effective and articulate legislator who can comprehend the many complex issues facing the General Assembly; and

Whereas, the General Assembly finds that a two‑year term of office creates problems in that the legislator or the candidate for that office must campaign and seek campaign funds on a continuous basis for that office from the people of the district; and

Whereas, the General Assembly finds these campaign and fund‑raising activities diminish the representative’s ability to concentrate on the important issues facing the State; and

Whereas, the General Assembly finds similar problems facing the Senators who represent districts almost three times larger than each House district; and

Whereas, the General Assembly further finds that in five other states the members of the House of Representatives serve a four‑year term; and

Whereas, the General Assembly concludes that increasing the term of the House of Representatives to four years and of the Senate to six years would allow the legislators to concentrate on the very important issues facing the State and would ease the pressures of campaigning and campaign fund raising. Now, therefore,

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

SECTION 1. Chapter 1, Title 2 of the 1976 Code is amended by adding:

“Section 2‑1‑70. The term of office for the South Carolina Senate is six years.”

SECTION 2. Chapter 1, Title 2 of the 1976 Code is amended by adding:

“Section 2‑1‑190. (A) For purposes of this section, ‘service in office for more than one half of a term’ is considered service for a term.

(B) A person is not eligible for election to the House of Representatives if that person has served four terms in the same body, regardless of the district represented.

(C) A person is not eligible for election to the Senate if that person has served three terms in the same body, regardless of the district represented.

(D) For purposes of the number of terms served in the General Assembly, a term served for which the election was held before January 1, 2009, may not be counted as a term served.”

SECTION 3. Section 2‑1‑20 of the 1976 Code is amended to read:

“Section 2‑1‑20. Representatives to the House of Representatives shall be elected from the several counties of the State at the general election to be held on Tuesday after the first Monday in November of every other even‑numbered year.”

SECTION 4. Section 2‑1‑40 of the 1976 Code is amended to read:

“Section 2‑1‑40. Any person otherwise qualified by law and the Constitution of this State may file as a candidate and ~~can~~ be elected only in the district in which he is a resident. A person may file for only one House office. The ~~terms~~ term of office ~~shall be for two~~ is four years.”

SECTION 5. This act takes effect upon the signature of the Governor and is contingent on the ratification of a constitutional amendment to Sections 2, 6, and 8, Article III of the South Carolina Constitution, 1895, increasing the term of office for the House of Representatives to four years and for the Senate to six years.

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