**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3134**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Funderburk and Clyburn

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Introduced in the House on January 11, 2011

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

Summary: Clerks of court

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/7/2010 House Prefiled

12/7/2010 House Referred to Committee on **Judiciary**

1/11/2011 House Introduced and read first time ([House Journal‑page 58](file:///h:\hj%20archive\2011\01-11-11.docx))

1/11/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 58](file:///h:\hj%20archive\2011\01-11-11.docx))

**VERSIONS OF THIS BILL**

[12/7/2010](file:///p:\pprever\2011-12\3134_20101207.docx)

**A** **BILL**

TO AMEND SECTION 14‑17‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION OF CLERKS OF COURT, SO AS TO REQUIRE THE ELECTION OF CLERKS OF COURT TO BE NONPARTISAN, TO PROVIDE FOR NONPARTISAN SPECIAL ELECTIONS WHEN A VACANCY OCCURS, AND TO PROVIDE PROCEDURES FOR THE NOMINATION OF CANDIDATES AND THE CONDUCT OF THE NONPARTISAN ELECTIONS.

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

SECTION 1. Section 14‑17‑10 of the 1976 Code is amended to read:

“Section 14‑17‑10. (A) There ~~shall~~ must be an election for clerk of the court of common pleas in each county by the qualified voters ~~thereof~~ of the county at each alternate general election, ~~reckoning from~~ beginning with the election in the year 1960.

(B) The clerk of the court of common pleas must be elected in a nonpartisan election in accordance with the provisions of subsection (A). Notwithstanding another provision of law, a vacancy in the office of clerk of the court of common pleas must be filled in a special election, and this special election must be nonpartisan as provided in this subsection.

(C) Nomination for the office of clerk of the court of common pleas is by petition pursuant to the provisions of Section 7‑11‑70. The results of the election must be determined by the nonpartisan election and runoff election method prescribed in Section 5‑15‑62, mutatis mutandis.”

SECTION 2. This act takes effect upon approval of the Governor and applies to elections and special elections for the office of clerk of the court of common pleas held after 2011.

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