**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3177**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Crosby, M.S. McLeod and V.S. Moss

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Introduced in the House on January 8, 2013

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

Summary: Candidate seeking elective office

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2012 House Prefiled

12/18/2012 House Referred to Committee on **Judiciary**

1/8/2013 House Introduced and read first time ([House Journal‑page 116](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/8/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 116](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/10/2013 House Member(s) request name added as sponsor: M.S.McLeod

1/17/2013 House Member(s) request name added as sponsor: V.S.Moss

**VERSIONS OF THIS BILL**

[12/18/2012](file:///p:\pprever\2013-14\3177_20121218.docx)

**A** **JOINT RESOLUTION**

PROPOSING AMENDMENTS TO THE CONSTITUTION OF SOUTH CAROLINA, 1895, BY AMENDING SECTION 7, ARTICLE III, RELATING TO QUALIFICATIONS OF MEMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES, SO AS TO PROVIDE THAT A CANDIDATE FOR THE SENATE OR HOUSE OF REPRESENTATIVES MUST BE A QUALIFIED ELECTOR OF THE DISTRICT IN WHICH HE IS A CANDIDATE FOR AT LEAST NINETY CONSECUTIVE DAYS PRIOR TO THE FIRST DAY THAT CANDIDATES MAY FILE FOR THAT OFFICE; AND BY ADDING SECTION 16 TO ARTICLE XVII SO AS TO REQUIRE A CANDIDATE SEEKING ELECTIVE OFFICE TO BE A QUALIFIED ELECTOR OF THE DISTRICT IN WHICH HE IS A CANDIDATE FOR AT LEAST NINETY CONSECUTIVE DAYS PRIOR TO THE FIRST DAY THAT CANDIDATES MAY FILE FOR THAT OFFICE.

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

SECTION 1. It is proposed that Section 7, Article III of the Constitution of this State be amended to read:

“Section 7. ~~No~~A person is not eligible for a seat in the Senate or House of Representatives who, at the time of his election, is not a duly qualified elector under this Constitution in the district in which he may be chosen. Senators must be at least twenty‑five and Representatives at least twenty‑one years of age. A candidate for the Senate or House of Representatives must be a ~~legal resident~~ qualified elector of the district in which he is a candidate ~~at the time he files for the office~~ for at least ninety consecutive days prior to the first day that candidates may file for that office. ~~No~~A person who has been convicted of a felony under state or federal law or convicted of tampering with a voting machine, fraudulent registration or voting, bribery at elections, procuring or offering to procure votes by bribery, voting more than once at elections, impersonating a voter, or swearing falsely at elections/taking oath in another’s name, or who has pled guilty or nolo contendere to these offenses, is not eligible to serve as a member of the Senate or the House of Representatives. However, notwithstanding any other provision of this Constitution, this prohibition does not apply to a person who has been pardoned under state or federal law or to a person who files for public office fifteen years or more after the completion date of service of the sentence, including probation and parole time, nor shall ~~any~~a person, serving in office prior to the ratification of this provision, be required to vacate the office to which he is elected.”

SECTION 2. It is proposed that Article XVII of the Constitution of this State be amended by adding:

“Section 16. In addition to other qualifications required by this Constitution to be eligible for election to an office, a candidate must be a qualified elector of the district in which he is a candidate for at least ninety consecutive days prior to the first day that candidates may file for that office.”

SECTION 3. The proposed amendments must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 7, Article III of the Constitution of this State, relating to qualifications for Senators and Members of the House of Representatives be amended, so as to require a candidate for the Senate or House of Representatives to be a qualified elector of the district in which he is a candidate for at least ninety consecutive days prior to the first day that candidates may file for that office and to amend Article XVII, relating to miscellaneous matters, by adding Section 16 so as to require a candidate for any other elective office to be a qualified elector of the district in which he is a candidate for at least ninety consecutive days prior to the first day that candidates may file for that office?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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