**South Carolina General Assembly**

123rd Session, 2019-2020

**H. 5090**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Morgan, Haddon, Willis, Burns, Moore, Stringer, Magnuson, Long, G.R. Smith, Yow, Hardee, Jones, Trantham, Daning, McGinnis, Erickson, Toole, Fry, Bradley, Bailey, Allison, Hiott, McCravy, Bennett, Wooten, Taylor, Finlay, Ligon, Felder, Huggins, Thayer, Pope, Alexander, Ballentine, Blackwell, Bryant, Caskey, Chumley, Clemmons, B. Cox, Elliott, Forrest, Forrester, Gagnon, Gilliam, Hill, Lowe, Mace, Martin, V.S. Moss, B. Newton, Oremus, Simrill and Tallon

Document Path: l:\council\bills\cc\15714zw20.docx

Companion/Similar bill(s): 270

Introduced in the House on February 4, 2020

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

Summary: General Assembly

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/4/2020 House Introduced and read first time ([House Journal‑page 6](file:///h:\hj\20200204.docx))

2/4/2020 House Referred to Committee on **Judiciary** ([House Journal‑page 6](file:///h:\hj\20200204.docx))

2/4/2020 House Member(s) request name removed as sponsor: Cogswell, W.Cox, Davis

2/5/2020 House Member(s) request name removed as sponsor: Hixon, Wheeler, R.Williams, Parks, Ridgeway, Thigpen

2/12/2020 House Member(s) request name removed as sponsor: Herbkersman

2/13/2020 House Member(s) request name removed as sponsor: West

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**VERSIONS OF THIS BILL**

[2/4/2020](file:///p:\pprever\2019-20\5090_20200204.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2‑1‑105 SO AS TO PROVIDE AFTER JULY 1, 2020, A PERSON MAY NOT BE ELECTED OR APPOINTED TO A JUDICIAL OFFICE THAT IS FILLED BY ELECTION OR APPOINTMENT OF THE GENERAL ASSEMBLY IF THAT PERSON IS AN IMMEDIATE FAMILY MEMBER OF A SITTING MEMBER OF THE GENERAL ASSEMBLY, OR A FORMER MEMBER OF THE GENERAL ASSEMBLY WHOSE MOST RECENT TERM OF LEGISLATIVE SERVICE ENDED LESS THAN ONE YEAR PRIOR TO THE GENERAL ASSEMBLY’S ELECTION OR APPOINTMENT OF THE OFFICE IN QUESTION.

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 2‑1‑105. (A) Notwithstanding another provision of law, after July 1, 2020, a person may not be elected or appointed to a judicial office that is filled by election or appointment of the General Assembly if that person is an immediate family member of a:

(1) sitting member of the General Assembly; or

(2) former member of the General Assembly whose most recent term of legislative service ended less than one year prior to the General Assembly’s election or appointment of the office in question.

(B) The provisions of this section do not apply to an immediate family member of a sitting member of the General Assembly serving in a judicial office described in subsection (A) on the effective date of this section.

(C) For purposes of this section, the term ‘immediate family’ is as defined in Section 2‑17‑10(7).”

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

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