CHAPTER 11

Legislative Council

**SECTION 2‑11‑10.** Creation and composition.

There is hereby created a Legislative Council of the General Assembly of South Carolina, the membership of which shall be composed of the President of the Senate, the Speaker of the House of Representatives, the Secretary of State, the chairman of the Judiciary Committee of the Senate or his designee, and the chairman of the Judiciary Committee of the House of Representatives.

HISTORY: 1962 Code Section 30‑101; 1952 Code Section 30‑101; 1949 (46) 555; 1954 (48) 1761; 1989 Act No. 157, Section 2.

LIBRARY REFERENCES

Westlaw Key Number Searches: 360k29; 360k35.

States 29, 35.

C.J.S. States Sections 41, 52.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. General Assembly Section 56, Legislative Council.

**SECTION 2‑11‑20.** Officers.

The Legislative Council shall elect from its membership a chairman and vice‑chairman.

HISTORY: 1962 Code Section 30‑102; 1952 Code Section 30‑102; 1949 (46) 555.

LIBRARY REFERENCES

Westlaw Key Number Search: 360k35.

States 35.

C.J.S. States Section 52.

**SECTION 2‑11‑30.** Meetings.

The Legislative Council shall meet upon the call of the chairman or a majority of the members.

HISTORY: 1962 Code Section 30‑103; 1952 Code Section 30‑103; 1949 (46) 555; 1982 Act No. 344, Section 1.

CROSS REFERENCES

Meeting of General Assembly, see SC Const, Art 3, Section 1A.

LIBRARY REFERENCES

Westlaw Key Number Search: 360k32.

States 32.

C.J.S. States Sections 48 to 50.

**SECTION 2‑11‑40.** Limitations on compensation of members.

The members of the Legislative Council shall not receive compensation for attending meetings of the Council held while the General Assembly is in session, nor shall they be paid for more than a total of ten days between sessions of the General Assembly.

HISTORY: 1962 Code Section 30‑104; 1952 Code Section 30‑104; 1949 (46) 555.

LIBRARY REFERENCES

Westlaw Key Number Search: 360k61.

States 61.

C.J.S. States Section 47.

**SECTION 2‑11‑50.** General duties of Council.

The Legislative Council shall be responsible for the organization and operation of the research, reference, and bill drafting facilities herein provided to serve the General Assembly. The Legislative Council shall make preliminary studies and recommendations upon proposed legislation when so requested by committees or members of the General Assembly and conduct investigations when so directed by either Joint, Senate, or House Resolutions.

HISTORY: 1962 Code Section 30‑105; 1952 Code Section 30‑105; 1949 (46) 555; 1984 Act No. 450, Section 1.

CROSS REFERENCES

Appointment of the Code Commissioner, see Sections 2‑13‑10, 2‑13‑20.

Director and employees of Council, see Section 2‑13‑50.

LIBRARY REFERENCES

Westlaw Key Number Search: 360k35.

States 35.

C.J.S. States Section 52.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. General Assembly Section 56, Legislative Council.

LAW REVIEW AND JOURNAL COMMENTARIES

Haynsworth, The 1981 Revision of the South Carolina Business Corporation Act: A Critique and Agenda for Further Reform. 33 S.C. L. Rev. 449, March 1982.

Attorney General’s Opinions

South Carolina Supreme Court, South Carolina Court Administration, Legislative Counsel, and Public Service Authority are not “agencies” as that term is used in Section 167, Part 1, of Act 1512, 1984 Acts and Joint Resolutions and thus, not subject to review by State Reorganization Commission. 1984 Op Atty Gen, No. 84‑127, p. 294.

**SECTION 2‑11‑60.** Research, reference and drafting divisions.

The Legislative Council shall organize and supervise operation of research, reference and drafting divisions.

HISTORY: 1962 Code Section 30‑106; 1952 Code Section 30‑106; 1949 (46) 555.

CROSS REFERENCES

Director and employees of Council, see Section 2‑13‑50.

LIBRARY REFERENCES

Westlaw Key Number Search: 360k35.

States 35.

C.J.S. States Section 52.

**SECTION 2‑11‑70.** Maintenance of Legislative Library.

The Legislative Council shall, in addition to its other functions, maintain a Legislative Library which shall consist of the Codes of Laws of the several states and legislative documents of the State of South Carolina along with other materials deemed necessary in connection with its function and for the benefit of the members of the General Assembly.

HISTORY: 1962 Code Section 30‑107; 1971 (57) 709.

CROSS REFERENCES

Libraries, generally, see Title 60.

LIBRARY REFERENCES

Westlaw Key Number Search: 360k35.

States 35.

C.J.S. States Section 52.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. General Assembly Section 56, Legislative Council.

**SECTION 2‑11‑80.** Sale of books and documents.

The Director of the Legislative Council may sell any codes, supplements, books, and documents and the proceeds of any sale must be invested in other books or documents for the Legislative Council Library or code inventory.

HISTORY: 1962 Code Section 30‑108; 1971 (57) 709; 1991 Act No. 171, Part II, Section 69A.

**SECTION 2‑11‑90.** Penalty for stealing or damaging book, document or other property.

Any person wilfully embezzling, stealing, defacing, damaging or in any manner mutilating or destroying while in his possession or in the custody of the Director any book, document or other property confided to the safekeeping of the Director shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding thirty days.

HISTORY: 1962 Code Section 30‑109; 1971 (57) 709.

LIBRARY REFERENCES

Westlaw Key Number Search: 248k1.

Malicious Mischief 1.

C.J.S. Malicious or Criminal Mischief or Damage to Property Sections 2 to 5.