

Session 125 - (2023-2024)

S 0482 General Bill, By Peeler, Reichenbach, Verdin, Turner, Bennett and Rice

Summary: Selection of Magistrates

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF THE MEMBERS OF THE HOUSE AND OF THE MEMBERS OF THE SENATE; BY AMENDING SECTION 14-3-10, RELATING TO THE COMPOSITION OF COURT AND ELECTION OF JUSTICES AND TERMS, SO AS TO DEFINE ELECTION BY JOINT VOTE OF THE GENERAL ASSEMBLY TO MEAN A MAJORITY VOTE OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES AND A MAJORITY VOTE OF THE MEMBERS OF THE SENATE; BY AMENDING SECTION 14-5-610, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, NUMBER OF JUDGES TO BE ELECTED FROM EACH CIRCUIT, AND ELECTION OF ADDITIONAL JUDGES WITHOUT REGARD TO COUNTY OR CIRCUIT OF RESIDENCE, SO AS TO ADD ELECTION OF JUDGES BY JOINT VOTE OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 14-8-20, RELATING TO THE ELECTION OF MEMBERS OF THE COURT AND TERMS OF OFFICE, SO AS TO DEFINE ELECTION BY JOINT VOTE OF THE GENERAL ASSEMBLY TO MEAN A MAJORITY VOTE OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES AND A MAJORITY VOTE OF THE MEMBERS OF THE SENATE; BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERM, AND TERRITORIAL JURISDICTION, AND TRAINING, CERTIFICATION, OR RECERTIFICATION REQUIREMENT, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; BY AMENDING SECTION 22-1-16, RELATING TO TRIAL OBSERVATION REQUIREMENTS FOR NEW MAGISTRATES WHO ARE NOT ATTORNEYS, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; BY AMENDING SECTION 22-1-30, RELATING TO SUSPENSION, REMOVAL, OR NON-REAPPOINTMENT, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; BY AMENDING SECTION 22-2-5, RELATING TO ELIGIBILITY EXAMINATIONS FOR MAGISTRATES, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; BY AMENDING SECTION 22-2-10, RELATING TO THE SCREENING COMMITTEE ASSISTING IN SELECTION OF MAGISTRATES, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION AND NOMINEES MUST RECEIVE A MAJORITY VOTE OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE WITHIN THE LEGISLATIVE DELEGATION TO BE RECOMMENDED TO THE GOVERNOR; BY AMENDING SECTION 22-2-15, RELATING TO THE SPECIAL ELECTION FOR NONPARTISAN PREFERENTIAL SELECTION OF MAGISTRATES, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; BY AMENDING SECTION 22-2-40, RELATING TO NUMBER AND LOCATION OF MAGISTRATES IN THE COUNTY AND MINISTERIAL MAGISTRATES, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; AND BY AMENDING SECTION 2-20-410, RELATING TO ELECTION TO THE BOARDS AND MAJORITY VOTE, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF THE MEMBERS OF THE HOUSE AND OF THE MEMBERS OF THE SENATE.

02/02/23 Senate Introduced and read first time (Senate Journal-page 5)

02/02/23 Senate Referred to Committee on Judiciary (Senate Journal-page 5)

02/09/23 Scrivener's error corrected

01/16/24 Senate Referred to Subcommittee: Talley (ch), Malloy, Campsen, Sabb, Setzler