

Session 112 - (1997-1998)

S 0885 General Bill, By Courson, Rankin and Short

Similar (H 4378)

A BILL TO ENACT "THE MAGISTRATES COURTS REFORM ACT OF 1998" BY AMENDING SECTION 22-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF MAGISTRATES, SO AS TO PROVIDE THAT COURT ADMINISTRATION AFTER CONSULTING WITH EACH COUNTY GOVERNING BODY SHALL INFORM THE SENATORS REPRESENTING THE COUNTY OF THE NUMBER OF POSITIONS AVAILABLE IN THE COUNTY, THE NUMBER OF WORK HOURS REQUIRED BY EACH POSITION, THE COMPENSATION FOR EACH POSITION, AND THE AREA OF THE COUNTY TO WHICH EACH POSITION IS ASSIGNED; TO REQUIRE THAT ON OR AFTER MAY 1, 2002, A MAGISTRATE AT THE TIME OF HIS APPOINTMENT MUST HAVE RECEIVED A TWO-YEAR ASSOCIATE DEGREE; AND THAT ON OR AFTER MAY 1, 2006, A MAGISTRATE AT THE TIME OF HIS APPOINTMENT MUST HAVE RECEIVED A FOUR-YEAR BACCALAUREATE DEGREE; BY AMENDING SECTION 22-1-15, RELATING TO THE PERSONS PRESENTLY SERVING AS MAGISTRATES, SO AS TO REQUIRE THAT A MAGISTRATE CONTINUING TO SERVE ON MAY 1, 2002, MUST HAVE RECEIVED A TWO-YEAR ASSOCIATE DEGREE AND THAT A MAGISTRATE CONTINUING TO SERVE ON OR AFTER MAY 1, 2006, MUST HAVE RECEIVED A FOUR-YEAR BACCALAUREATE DEGREE; BY AMENDING SECTION 22-1-30, RELATING TO SUSPENSION OR REMOVAL OF MAGISTRATES, SO AS TO PROVIDE THAT A MAGISTRATE'S FAILURE TO COMPLY WITH RETIREMENT, TRAINING, OR EXAMINATION REQUIREMENTS MAY SUBJECT THE MAGISTRATE TO SUSPENSION OR REMOVAL BY ORDER OF THE SUPREME COURT; BY AMENDING SECTION 22-2-200, RELATING TO ACCOMMODATIONS TAX REVENUES AS AFFECTING THE NUMBER OF MAGISTRATES, SO AS TO CONFORM THE PROVISION WITH APPOINTMENT OF ADDITIONAL MAGISTRATES DEPENDENT UPON ACCOMMODATIONS TAX REVENUES; BY AMENDING SECTION 22-8-40, RELATING TO FULL-TIME AND PART-TIME MAGISTRATES AND SALARIES, SO AS TO PROVIDE FOR A NEW SALARY SCHEDULE AND FOR ADDITIONAL MAGISTRATES TO BE APPOINTED DEPENDENT UPON ACCOMMODATIONS TAX REVENUES; AND BY ADDING SECTION 9-11-27, SO AS TO PROVIDE THAT MAGISTRATES MAY PARTICIPATE IN THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM; BY ADDING SECTION 22-1-12, SO AS TO REQUIRE THAT A MAGISTRATE COMPLETE CERTAIN TRIAL EXPERIENCES PRIOR TO TRYING CASES; BY ADDING SECTION 22-1-17, SO AS TO ESTABLISH A TWO-YEAR PROGRAM AVAILABLE TO MAGISTRATES WHO HAVE SUCCESSFULLY COMPLETED THE CERTIFICATION EXAMINATION; BY ADDING SECTION 22-1-19, SO AS TO ESTABLISH AN ADVISORY COUNCIL TO MAKE RECOMMENDATIONS TO THE SUPREME COURT REGARDING THE ELIGIBILITY EXAMINATION, CERTIFICATION EXAMINATION, AND CONTINUING EDUCATION REQUIREMENTS FOR MAGISTRATES; AND BY ADDING SECTION 22-2-5, SO AS TO ESTABLISH AN ELIGIBILITY EXAMINATION THE RESULTS OF WHICH MUST BE USED BY THE SENATORIAL DELEGATION IN MAKING NOMINATION FOR MAGISTERIAL APPOINTMENTS; AND BY REQUESTING THAT THE SUPREME COURT MAKE A REPORT TO THE CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES' JUDICIARY COMMITTEES RECOMMENDING FURTHER CHANGES NEEDED.

12/15/97 Senate Prefiled

12/15/97 Senate Referred to Committee on Judiciary

01/14/98 Senate Introduced and read first time SJ-22

01/14/98 Senate Referred to Committee on Judiciary SJ-22

04/15/98 Senate Committee report: Majority favorable with amend., minority unfavorable Judiciary SJ-12

04/28/98 Senate Read second time SJ-21

04/28/98 Senate Ordered to third reading with notice of amendments SJ-21