

Session 122 - (2017-2018)

H 3189 General Bill, By Clary, Elliott, Tallon and West

Summary: Judicial Merit Selection Commission members

A BILL TO AMEND SECTION 2-19-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION MEMBERS AND RULES, SO AS TO REQUIRE THE COMMISSION'S RULES TO INCLUDE PROCEDURES FOR INVESTIGATING COMPLAINTS AGAINST CANDIDATES FOR DIRECTLY OR INDIRECTLY SEEKING PLEDGES IN VIOLATION OF THE PROVISIONS OF THE CHAPTER THROUGH THE TIME PERIOD EXTENDING TO ELECTION BY THE GENERAL ASSEMBLY IN ACCORDANCE WITH THE REQUIREMENTS FOR SUCH INVESTIGATIONS PROVIDED IN THE CHAPTER; TO AMEND SECTION 2-19-35, RELATING TO CRITERIA FOR INVESTIGATIONS AND CONSIDERATION OF THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO PROVIDE THAT THE COMMISSION SHALL MAINTAIN JURISDICTION OVER CANDIDATES THROUGH THE TIME PERIOD EXTENDING TO ELECTION BY THE GENERAL ASSEMBLY WHEN A COMPLAINT IS FILED ALLEGING A PLEDGING VIOLATION AND AUTHORIZING THE COMMISSION TO REMOVE A CANDIDATE FROM NOMINATION IF A VIOLATION IS PROVEN BY CLEAR AND CONVINCING EVIDENCE TO HAVE OCCURRED IN ADDITION TO THE PENALTIES OTHERWISE PROVIDED; TO AMEND SECTION 2-19-70, RELATING TO THE TIME PERIOD FOR SEEKING OR GIVING A PLEDGE, SO AS TO PROVIDE THAT PLEDGES FOR JUDICIAL CANDIDATES MAY NOT BE DIRECTLY OR INDIRECTLY SOUGHT OR GIVEN UNTIL FOURTEEN DAYS, RATHER THAN FORTY-EIGHT HOURS, AFTER THE INITIAL RELEASE OF THE REPORT CONCERNING NOMINEES TO MEMBERS OF THE GENERAL ASSEMBLY; TO AMEND SECTION 2-19-80, RELATING TO THE TIME BETWEEN THE RELEASE OF THE COMMISSION'S REPORT ON NOMINATIONS TO THE GENERAL ASSEMBLY AND THE ELECTION OF JUDGESHIPS, SO AS TO PROVIDE THAT THERE BE A PERIOD OF NOT MORE THAN TWENTY-EIGHT DAYS, RATHER THAN TWO WEEKS, AFTER THE FINAL REPORT OF NOMINATIONS TO THE GENERAL ASSEMBLY AND TO REQUIRE THAT CANDIDATES BE NOMINATED BY THE SECOND THURSDAY IN JANUARY EACH YEAR; AND TO AMEND SECTION 2-19-90, RELATING TO THE ELECTION OF JUDGES BY THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE FOR THE ELECTION OF JUDGES BY THE GENERAL ASSEMBLY IN JOINT SESSION TO BE HELD ONCE A YEAR ONLY.

12/15/16 House Prefiled

12/15/16 House Referred to Committee on Judiciary

01/10/17 House Introduced and read first time (House Journal-page 106)

01/10/17 House Referred to Committee on Judiciary (House Journal-page 106)